

I speak on behalf of the “Feminists for a Binding Treaty” coalition, which gathers around 30 NGOs and has been working collectively to advocate for a gender-responsive treaty since 2016.

We continue to express our strong support to this process and welcome the progress built over the last six years thanks to the many contributions from States, experts and NGOs. In this regard, we welcome that the Secretariat prepared the matrices of comments from States and other stakeholders, as well as that the track-changed version of the draft text has been made available; these initiatives have increased transparency and facilitated analysis.

The 3rd draft text is an important basis for negotiations and goes in the right direction in terms of filling some of the major gaps in ensuring prevention of business human rights abuses, access to justice and reparation for victims. We stress, however, that some key provisions still need further clarification and strengthening. We will provide comments on specific provisions as relevant this week.

Some States have raised that legal issues addressed in the draft instrument are complex and may raise issues of conflict with national law. In this regard, we recall that the aim of an international human rights instrument on business and human rights is precisely to raise national standards to bring them in line with international human rights law and to address the systemic gaps in accountability that victims face when seeking access to justice for corporate abuse. The draft instrument before us can add tremendous value in terms of international human rights protection, particularly its provisions on liability, jurisdictional aspects in cross-border cases and on access to remedy.

Thus, any suggestion that negotiating a treaty is premature, or that the process for its drafting is taking the wrong approach, would be a slap in the face to the thousands of activists and victims who have advocated for an international legally binding instrument not for years, but for decades. This is especially so when these arguments are put forward by States that have never engaged constructively to discuss substance in the past six years.

We hence strongly hope to see constructive and substantive participation in negotiations from States from all regions. In this regard, we welcome the proposal of the Chairmanship for a cross-regional group of friends of the Chair that would facilitate the next steps of negotiations.

Thank you.